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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: TERRORIST ATTACKS : 03-MDL-1570  
ON SEPTEMBER 11, 2001 : (GBD) (SN)

- - -

APRIL 6, 2021  
THIS TRANSCRIPT CONTAINS  
CONFIDENTIAL MATERIAL

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Remote Videotaped  
Deposition, taken via Zoom, of CHAS W.  
FREEMAN, JR., commencing at 9:08 a.m., on  
the above date, before Amanda  
Maslynsky-Miller, Certified Realtime  
Reporter and Notary Public in and for the  
Commonwealth of Pennsylvania.

- - -

GOLKOW LITIGATION SERVICES  
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deps@golkow.com

1           Q.     Two of the items that's on  
2     your brief reading list, the two Robert  
3     Lacey items, there's nothing in your  
4     report that's sourced to those two items.

5           A.     No.

6           Q.     What opinion in your report,  
7     if anything, is reliant upon or relied  
8     upon those to corroborate your opinions?

9           A.     Nothing directly. The first  
10    book is a very good account of the  
11    history of the House of Saud. The second  
12    is an update, referring to modern times.

13          Q.     We're going to get through  
14    it a lot quicker if you just confine your  
15    answers to my question.

16                 The question is, is there  
17    anything in your report that either of  
18    the Lacey books corroborates?

19          A.     Plenty.

20          Q.     All right. And if you went  
21    through your report, would you be able to  
22    explain why it is that you didn't cite to  
23    the Lacey books to corroborate what's in  
24    your report?

1           A.       Because I am -- I was  
2     writing the report on the basis of  
3     personal experience and knowledge, which  
4     Mr. Lacey also did.

5           Q.       And the Steve Coll book  
6     that's cited, it's cited three times in  
7     your report.

8                   Is it fair to say that you  
9     cited it for each item where you intended  
10    to rely upon the book as a source to  
11    corroborate your opinions?

12          A.       Steve Coll interviewed me  
13    for his book. I looked to it for dates  
14    and specific material because I knew he  
15    had included it.

16          Q.       Anything else?

17          A.       No.

18          Q.       All right. And, similarly,  
19    there's a Rundell cited five times in  
20    your report, but it doesn't actually  
21    indicate that it's David Rundell or that  
22    it's the Vision or Mirage book that's  
23    cited here.

24                   The citations to Rundell in

1 your report, is that intended to be to  
2 this book?

3 A. Yes.

4 Q. And have you cited the  
5 Rundell book for each opinion in your  
6 report that you relied upon -- where you  
7 relied upon the book?

8 A. I didn't really rely upon  
9 the book. But it is a very excellent  
10 account of Saudi history with specific  
11 reference to religious and political  
12 tensions in the Kingdom.

13 Q. Is it fair to say that your  
14 report is mostly prepared based on your  
15 own personal experience?

16 A. It is based on my personal  
17 and professional experience, yes.

18 Q. And is it accurate to say  
19 that whatever experience that you have on  
20 the history, politics and culture of  
21 Saudi Arabia, including Wahhabism, is  
22 based in large part on your three-year  
23 stint as Ambassador to the Kingdom?

24 A. Significantly, yes.

1           A.     I'm sorry, the footnote is  
2     from the blog, right?

3           Q.     No. The footnote is from --  
4     I'm sorry, the footnote is from the blog  
5     by Sic Semper Tyrannis.

6                     I can put it up on the  
7     screen if you need to see it.

8           A.     No. Sic Semper Tyrannis is  
9     an extremely well-known and respected  
10    blog operated by retired U.S. Army  
11    Colonel Pat Lang, who is a noted expert  
12    on, particularly, the Levant and military  
13    and terroristic affairs.

14                    So this appearing in his  
15    blog under his imprimatur is -- was, I  
16    thought, a significant clarification of  
17    the origin of the hijackers.

18                    And it coincided with what I  
19    knew independently.

20           Q.     Actually, he's not -- Sic  
21    Semper Tyrannis is not the person that  
22    commented on the origin of the hijackers.

23                    He was commenting on Musaed  
24    Jarrah, a Saudi embassy official?

1 A. Yeah, okay.

2 Q. Let's pull it up.

3 MR. MALONEY: Let me  
4 introduce the exhibit. Hold on.  
5 I think Mr. Haefele might have  
6 sent it to -- let's see.

7 - - -

8 (Whereupon, a discussion off  
9 the record occurred.)

10 - - -

11 (Whereupon, Exhibit  
12 Freeman-559, No Bates, Harper:  
13 Saudi Third Man Revealed, was  
14 marked for identification.)

15 - - -

16 BY MR. MALONEY:

17 Q. This is the -- this is  
18 what -- this is the footnote you cited  
19 to, Mr. Freeman, and this is the one  
20 written by Sic Semper Tyrannis.

21 And, I'm sorry, you know who  
22 that is.

23 What was his name again?

24 A. A retired colonel, U.S.

1 Army, Patrick Lang.

2 Q. How do you know him?

3 A. I know him from multiple  
4 consultations with the intelligence  
5 community with which he was called upon.  
6 And I never served with him.

7 Q. If we take a look at it --  
8 you can read the whole thing, it's not  
9 very long, if you want to.

10 But he indicates, I think,  
11 in the third or fourth paragraph there  
12 that Al-Jarrah was not a regular official  
13 of the Saudi Ministry of Religious  
14 Affairs but was widely believed to be an  
15 agent of the Kingdom's General  
16 Intelligence Directorate, GID.

17 Do you see that?

18 A. Yes.

19 Q. And it's your belief that  
20 the colonel is somebody who would know  
21 this, correct?

22 A. He has many contacts in the  
23 intelligence community, yes.

24 Q. The point of his article is

1           probably a long -- it's probably  
2           near the end, I think.

3           Keep going. Just scroll  
4           down to the next page, please.  
5           Next page, please. Next page.

6           That's it. Sorry. If you  
7           go back, you can see the bottom,  
8           there is Tidewater? Right there.

9           THE WITNESS: Yeah, that's  
10          the comment that I quoted.

11 BY MR. MALONEY:

12          Q.     So you quoted a blogger who  
13          was commenting on Colonel Patrick Lang's  
14          posting, correct?

15          A.     Yes.

16          Q.     And it looks like you lifted  
17          this entire quote from Tidewater and put  
18          it into your report; is that right?

19          A.     Yes. Because it rang  
20          absolutely true.

21          Q.     Do you know who Tidewater  
22          is?

23          A.     No idea.

24          Q.     So you're relying on an



1 unknown, anonymous blogger for this  
2 information that's contained in here?

3 A. No. I know most of this  
4 information on my own.

5 Q. Did you -- I'm sorry.

6 A. I found it a useful summary  
7 of the politics of the region and the  
8 origins of the hijackers from that  
9 region.

10 Q. Do you know that -- which of  
11 the hijackers are from that region?

12 A. Some of them have names  
13 which are typical tribal names from that  
14 region.

15 Q. I guess what I'm asking you  
16 is, did you research this? Did you look  
17 at the names of the Saudi hijackers and  
18 determine or find out or investigate what  
19 region of Saudi Arabia they were from?

20 A. Right after 9/11, when they  
21 were identified, yes. I spent some time  
22 doing that for the reasons given here.

23 Q. I'm sorry, you did that why?

24 A. For the reasons given here.

1 number who came from this southwestern  
2 region of the Kingdom.

3 Q. Why didn't you cite that as  
4 the reference to support your statement  
5 rather than this anonymous blogger?

6 A. This is a very detailed and,  
7 in my view, accurate account of the  
8 reality.

9 I didn't see any reason that  
10 I had to rewrite something that someone  
11 else had already done.

12 Q. I'm just -- I'm just asking  
13 you really more of a methodology, in your  
14 training, background, education at Yale  
15 and Harvard and your affiliation with  
16 Brown on doing research and citing, for  
17 support, statements that are reliable.

18 And an anonymous blogger  
19 doesn't strike me as somebody that you  
20 can rely on.

21 Are you saying that you're  
22 perfectly willing to rely on an anonymous  
23 blogger?

24 A. If the information the

1           Q.     So this is a blogger you're  
2     relying on to support your opinions who  
3     is also implying that he believes in this  
4     World Trade Center Number 7 conspiracy  
5     that you have rejected, fair?

6           A.     I'm not relying on his  
7     information.

8           Q.     Okay.

9           A.     He wrote a -- he wrote  
10    something that struck me as accurate and  
11    detailed.

12          Q.     And --

13          A.     I do not know the man. And  
14    he may very well have additional theories  
15    about things that I completely disagree  
16    with.

17          Q.     So you rely on some things  
18    he says and some other things you may  
19    reject as being a crazy conspiracy  
20    theorist, correct?

21          A.     No. I don't rely on him at  
22    all.

23          Q.     Well, you cited him in your  
24    footnote for reliance to a statement that

1     you made in your report; isn't that true?

2             A.     I attached the footnote  
3     because it provided what I thought was  
4     very granular information that coincides  
5     with my own knowledge of Saudi Arabia and  
6     that region and my surprise that so many  
7     of the hijackers came from that part of  
8     the country.

9             Q.     I have another one of your  
10    footnotes that I had a question about and  
11    your academic rigor.

12                    Page 7 and 8 you talk about  
13    bin Baz as the Grand Mufti.

14             A.     Yes, probably.

15             Q.     I think it's Footnote 18  
16    where you're citing to support the text  
17    that you wrote about bin Baz being  
18    anti-Bin Laden and anti-Al Qaeda.

19                    And then for that, for  
20    support you cited Footnote 18 for the  
21    support of the bin Baz text.

22                    You cited scribd.com.

23                    What is that?

24             A.     I believe that's a website

1 about the blogger Tidewater?

2 A. Nothing.

3 Q. Did you ever speak to  
4 Tidewater?

5 A. Nope.

6 Q. And when you cite the  
7 Tidewater in Footnote 7 of your report,  
8 you say -- you describe Tidewater as a  
9 former U.S. intelligence officer who  
10 wishes to remain anonymous.

11 How do you know he was a  
12 former U.S. intelligence officer?

13 A. I think I asked the operator  
14 of the blog, Sic Semper Tyrannis, retired  
15 Colonel Lang, if he would identify the  
16 person who wrote such a thorough and, in  
17 my view, accurate description of the  
18 origin of the hijackers and was told that  
19 he wished to remain anonymous.

20 Q. Well, how do you know he was  
21 a former U.S. intelligence officer?

22 A. Because I trust Colonel  
23 Lang.

24 Q. So you've never actually

1 spoken to Tidewater at all?

2 A. No.

3 Q. And you don't, in fact, know  
4 that he's a former U.S. intelligence  
5 officer, correct?

6 A. I have the assurance of  
7 somebody I trust that he is.

8 Q. All right. And the only way  
9 that you know that he preferred to remain  
10 anonymous is because this Mr. Lang -- is  
11 it Colonel Lang -- told you that he was  
12 U.S. intelligence or a former U.S.  
13 intelligence officer who didn't want  
14 anybody to know who he was?

15 A. I asked Colonel Lang, as I  
16 recall, whether I could identify him.  
17 And that was the reply I got.

18 Q. So you don't, in fact, know,  
19 other than by secondhand information, who  
20 he is; and you don't, in fact, know,  
21 other than secondhand information, that  
22 he wants to remain anonymous; is that a  
23 fair characterization?

24 A. I've accepted the assurance

1 of someone on both points. I have no  
2 direct knowledge of that, no.

3 Q. By taking information off of  
4 the Internet from a source that you've  
5 never spoken to, someone that you only  
6 know who they are through secondhand  
7 information, and taking secondhand  
8 information and not being allowed to  
9 speak to the source, based on a refusal  
10 by the person that runs the blog, that's  
11 what you're basing your information on to  
12 be able to cite to him as a former U.S.  
13 intelligence officer?

14 MR. GOETZ: Objection.

15 Form.

16 THE WITNESS: No. The  
17 reason this caught my eye was that  
18 it coincided with everything that  
19 I personally knew, on the basis of  
20 looking at the names of the  
21 hijackers, the description of  
22 them, their whereabouts, and what  
23 I knew about that particular  
24 region of Saudi Arabia, which I

1 visited.

2 So the information that  
3 whoever Tidewater is provided  
4 struck me as exceptionally  
5 accurate and perceptive.

6 I'm not going on him, I'm  
7 going on my own views.

8 BY MR. HAEFELE:

9 Q. Well, when you wrote your  
10 report and you cited Tidewater, why  
11 didn't you cite it citing to an Internet  
12 URL that provided us with a blog from  
13 some guy who is saying exactly what you  
14 wrote in your report instead of  
15 characterizing him as a former U.S.  
16 intelligence officer?

17 MR. GOETZ: Objection.

18 Form.

19 MR. HAEFELE: You can answer  
20 the question.

21 THE WITNESS: Yes. The  
22 information that Tidewater wrote  
23 strikes me, in my judgment, as  
24 accurate and detailed.



1                   There are two kinds of  
2                   intelligence. One is hard  
3                   intelligence, which is forensic --

4 BY MR. HAEFELE:

5                   Q.     Sir, you're not answering my  
6                   question. Sir, you're not answering my  
7                   question.

8                   A.     I'm attempting to.

9                   Q.     You're not answering my  
10                  question.

11                  Well, my question is, why  
12                  did you not cite to a URL protocol that  
13                  indicated that he was some blogger on a  
14                  website as opposed to -- or  
15                  characterizing him as a former  
16                  intelligence officer?

17                  Answer that question.

18                  A.     Because I believe him to be  
19                  a former intelligence officer.

20                  Q.     All right. Do you  
21                  understand that a reader of your report,  
22                  not understanding that you ripped it from  
23                  a blog, might misinterpret your  
24                  characterization of Tidewater as

1     conferring more authority on Tidewater  
2     than you actually knew firsthand about  
3     the individual to be true?

4                     MR. GOETZ:  Objection.

5                     Form.

6                     THE WITNESS:  I don't agree  
7                     with that.

8     BY MR. HAEFELE:

9                     Q.     You don't think --

10                    MR. GOETZ:  Also, what's --  
11                    before the next question.  What's  
12                    the time, please?

13                    VIDEO TECHNICIAN:  6:58 and  
14                    40 seconds.

15                    MR. GOETZ:  Okay.

16                    Go ahead.

17     BY MR. HAEFELE:

18                    Q.     To be clear, you have,  
19                    really, no firsthand knowledge as to who  
20                    Tidewater is or the positions that he  
21                    held; isn't that right?

22                    A.     Yes.

23                    Q.     What else in your report do  
24                    you not have information, firsthand,

1 about that you haven't told us? What  
2 about -- what else in your report do you  
3 not know, in fact, to be true?

4 A. There is nothing in my  
5 report that I do not know to be true.

6 Q. Well, you do not know it to  
7 be true who Tidewater is.

8 Is there anything else that  
9 you don't know to be true that you're not  
10 telling us now?

11 MR. GOETZ: Object to the  
12 form. Argumentative.

13 THE WITNESS: I know what  
14 Tidewater, whoever he or she is,  
15 wrote. And I read that and it  
16 coincided perfectly with my own  
17 understanding of the region, its  
18 history, the names of the  
19 hijackers and their origins.

20 I am not relying on  
21 Tidewater. I thought the endnote  
22 added important granular  
23 information to an issue that is  
24 central here, and that is whether